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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,923	10/17/2003	Tommy Lai	1016-024	4860

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EXAMINER

TOLEDO, FERNANDO L

ART UNIT PAPER NUMBER

2823

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,923

Applicant(s)

LAI ET AL.

Examiner

Fernando L. Toledo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election of claims 1 – 10 in the reply filed on 30 March 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 11 – 20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 30 March 2005.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1 – 5 are rejected under 35 U.S.C. 102(a) as being anticipated by Watt (U. S. Patent 6,586,296 B1).

In re claim 1, Watt, in the U. S. Patent 6,586,296 B1; figures 1 – 19 and related text, discloses forming at least on oxide-nitride-oxide dielectric layer 124 above the semiconductor substrate 100; and forming at least one implantation 134 into at least one area of the

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semiconductor substrate beneath the oxide-nitride-oxide dielectric layer subsequent to the formation of the oxide-nitride-oxide layer.

5. In re claim 2, Watt discloses the implantation is a channel implantation (Figure 13).

6. In re claim 3, Watt discloses wherein the implantation is a well and threshold implantation (Column 9, Lines 37 – 61).

7. In re claim 4, Watt discloses wherein the well and threshold implantation is into one of an array area and a periphery area over the semiconductor substrate, and further including forming another well and threshold implantation into the other of the array and periphery areas over the semiconductor substrate (Figure 13).

8. In re claim 5, Watt discloses further including forming a channel implantation into the array area and the periphery area (Figures 12 and 13).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US Patent Application Publication US 2003/00232472 A1) in view of Watt.

Wu, in the US Patent Application Publication US 2003/00232472 A1; figures 1A – 7C and related text, discloses providing a semiconductor substrate 300; forming an oxide-nitride-oxide dielectric layer 301 on the semiconductor substrate; forming a layer of polysilicon 303 on

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the oxide-nitride-oxide dielectric layer; forming a nitride hardmask layer 303 on the layer of polysilicon; patterning and forming a composite mask PR1 on the nitride hardmask; etching the nitride hardmask, layer of polysilicon, oxide-nitride-oxide dielectric layer, and semiconductor substrate to form shallow trench isolation trenches (Figure 3B); filling the shallow trench isolation trenches with an oxide gap fill (Figure 3B); polishing the oxide gap fill (Figure 3C); and removing the nitride hardmask (Figure 3D).

Wu does not teach covering a periphery area over the semiconductor substrate with a photoresist mask; and performing well and threshold implantation over an array area above the semiconductor substrate into the semiconductor substrate beneath the oxide-nitride-oxide dielectric layer. However, Watt discloses covering a periphery area over the semiconductor substrate with a photoresist mask¹²⁸; and performing well and threshold implantation over an array area above the semiconductor substrate into the semiconductor substrate beneath the oxide-nitride-oxide dielectric layer (Figure 10) to form wells and channel thresholds to enable NMOS and PMOS transistors to be formed on the same substrate (Column 1, Lines 25 – 31 and 38 – 43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to cover a periphery area over the semiconductor substrate with a photoresist mask; and perform a well and threshold implantation over an array area above the semiconductor substrate into the semiconductor substrate beneath the oxide-nitride-oxide dielectric layer in the invention of Wu, since as taught by Watt, it will form wells and channel thresholds to enable NMOS and PMOS transistors to be formed on the same substrate.

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Claim Objections

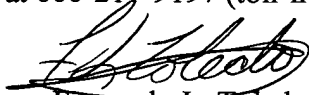
11. Claims 7 – 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fernando L. Toledo whose telephone number is 571-272-1867. The examiner can normally be reached on Mon-Thu 7am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 571-272-1855. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Fernando L. Toledo
Examiner
Art Unit 2823

flt
9 June 2005